

United States District Court

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PRESTON SHAWN WHITTINGTON,

Defendant.

CRIMINAL COMPLAINT

Case No. 22-MJ-102-JAR

I, Adam Noble, the undersigned complainant, am a Special Agent with the Federal Bureau of Investigation and state that the following is true to the best of my knowledge and belief:

On or about March 30, 2021, in the Eastern District of Oklahoma, in Indian Country, PRESTON SHAWN WHITTINGTON, an Indian, committed the offense of Robbery in Indian Country in violation of Title 18, United States Code, Sections 2111, 1151, and 1153.

This complaint is based on the following facts:

(See Affidavit of Adam Noble which is attached hereto and made a part hereof by reference.)

☒ Continued on the attached sheet.



Adam Noble, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: April 8, 2022

JASON A. ROBERTSON
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer



Signature of Judicial Officer



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Adam Noble, being duly sworn, depose and state that:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed since approximately June 2021. I am currently assigned to the FBI’s Oklahoma City Field Office, Durant Resident Agency where my duties involve investigating criminal violations of federal law to include crimes occurring in Indian Country. I have received training on the collection and handling of evidence.

2. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7). That is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrests of the offenses enumerated in Title 18, Title 21, and Title 26 of the United States Code.

3. The statements contained in this Affidavit are based in part on: information provided by other agencies, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; and my experience training and background as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause that PRESTON SHAWN WHITTINGTON, dob: XX-XX-1996, committed the offense of Robbery in Indian Country, in violation of 18 U.S.C. §§ 2111, 1151, and 1153, I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit are summaries in substance and in part.

PROBABLE CAUSE

4. VENUE: The facts and circumstances alleged in this Affidavit occurred within the Eastern District of Oklahoma and within the geographic boundaries of the Choctaw Nation, and therefore is within Indian Country.

5. DEFENDANT: The Defendant is PRESTON SHAWN WHITTINGTON. WHITTINGTON is an enrolled member of the Choctaw Nation, a federal recognized Indian tribe. At the time of the offense, the Defendant was incarcerated within the Oklahoma Department of Corrections.

6. On or about March 30, 2021, at approximately 1800 hours, law enforcement officers responded to the Jackie Brannon Correctional Center (JBCC), a detention facility of the Oklahoma Department of Corrections, located at 900 North West Street, McAlester, Oklahoma 74501. JBCC is located with the external boundaries of the Choctaw Nation.

7. Upon arrival, officers made contact with the victim, V.C., who is a food service supervisor at JBCC. V.C. reported that at approximately 1800 hours, she was leaving work and walking in the parking lot to her vehicle, a red four-door Honda Accord. While in the parking lot, V.C. observed a male inmate, later identified as the Defendant.

8. As V.C. was inside of her vehicle, the Defendant approached her driver side window. V.C. stopped her vehicle and rolled the window down and asked the Defendant what he was doing. The Defendant stated to her that he was looking for his beanie. The Defendant then abruptly opened the driver side door of V.C.'s vehicle and began assaulting her with his fists. The Defendant stated to V.C. that he was in prison for murder, and that he would kill her. The Defendant then gained possession of V.C.'s facility-issued radio that was located inside of her vehicle and began to strike her in the head and face with it.

9. The Defendant forced V.C. to move to the front passenger seat of the vehicle as he took control of her vehicle. As the vehicle was moving, V.C. escaped by opening the passenger side door and falling out of the vehicle. The Defendant continued to drive away, passing through the JBCC main control, and ultimately off the facility grounds. V.C. subsequently ran to main control and informed the staff of what had just occurred.

10. Investigators observed visible injuries on V.C.'s person that were photographed. V.C. reported that she feared for her life and stated, "I thought he was going to kill me."

11. On March 30, 2021, at approximately 1940 hours, officers with the Davis (Oklahoma) Police Department spotted V.C.'s vehicle and a pursuit subsequently ensued. The Defendant ultimately fled from the vehicle on foot and was not immediately captured.

12. On March 31, 2021, at approximately 1316 hours, the Defendant was taken into custody at a Walmart in Wichita Falls, Texas.

13. Based on the above, I submit there is probable cause that PRESTON SHAWN WHITTINGTON committed the offense of Robbery in Indian Country, in violation of 18 U.S.C. §§ 2111, 1151, and 1153.

Respectfully Submitted,



Adam Noble, Special Agent
Federal Bureau of Investigation

Sworn before me April 8, 2022.



UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF OKLAHOMA